DEFAULT-ALD

BOARD OF ELECTION COMMISSIONERS OF THE CITY OF CHICAGO AS A DULY CONSTITUTED ELECTORAL BOARD

Objections of: DAVID ROSA, PEDRO ROSA JR.	)	
To the Nomination Papers of: JOAQUIN VAZQUEZ	)	No.: 15-EB-ALD-006
Candidate for the office of Alderman of the 36th Ward, City of Chicago	)	Rel. ALD-090

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of Board of Election Commissioners of the City of Chicago Commissioners Langdon D. Neal, Richard A. Cowen, and Marisel A. Hernandez, organized by law in response to a Call issued by Langdon D. Neal, Chairman of said Electoral Board, for the purpose of hearing and passing upon objections ("Objections") of DAVID ROSA and PEDRO ROSA JR. ("Objectors") to the nomination papers ("Nomination Papers") of JOAQUIN VAZQUEZ, candidate for the office of Alderman of the 36th Ward of the City of Chicago ("Candidate") to be elected at the Municipal General Election to be held on February 24, 2015, having convened on December 8, 2014, at 9:00 a.m., in Room 800, 69 West Washington Street, Chicago, Illinois, and having heard and determined the Objections to the Nomination Papers in the above-entitled matter, finds that:

1. Objections to the Nomination Papers of the Candidate herein were duly and timely filed.

2. The said Electoral Board has been legally constituted according to the laws of the State of Illinois.

3. A Call to the hearing on said Objections was duly issued by the Chairman of the Electoral Board and served upon the members of the Electoral Board, the Objectors and the Candidate, by registered or certified mail and by Sheriff's service, as provided by statute.

4. A public hearing held on these Objections commenced on December 8, 2014 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Officer Yolanda Sayre for further hearings and proceedings.

6. The Objectors and the Candidate were directed by the Electoral Board to appear before the Hearing Officer on the date and at the time designated in the Hearing Schedule. On such date and time, the Hearing Officer called the case by calling aloud the case number, the name of the Objectors and the name of the Candidate. The following persons, among others, answered and were present at such hearing: the Objectors, DAVID ROSA and PEDRO ROSA JR., by their attorney, Thomas A. Jaconetty; and the Candidate, JOAQUIN VAZQUEZ, appearing pro se.

7. The Candidate immediately requested a continuance for the purpose of retaining an attorney to represent him in the case. The Hearing Officer granted the Candidate's request and the case was continued to December 15, 2014 at 10:00 a.m.

8. At the continued hearing on December 15, 2014, the Candidate, JOAQUIN VAZQUEZ, did not answer to the call nor did he appear at the hearing. The case was called again at least two more times at least 15 minutes apart on December 15, 2014 and at no time did the Candidate or any person purporting to represent the Candidate appear.

9. The Hearing Officer made a finding on the record that the Objector's Petition stated sufficient grounds which, if accepted as true, would invalidate the Candidate's Nomination

Papers as a matter of law. The Hearing Officer recommends that the Candidate, JOAQUIN VAZQUEZ, be held in default and that the Objections in the matter be sustained.

10. The Electoral Board hereby adopts the report and recommended findings of the Hearing Officer.

11. The Electoral Board finds that the Candidate, JOAQUIN VAZQUEZ, did not appear at the duly called hearing in this matter conducted on December 15, 2014.

12. The Electoral Board further finds that the Objector's petition, on its face, contains sufficient allegations, if accepted as true, to invalidate the Candidate's Nomination Papers.

13. Therefore, the Electoral Board finds that the Candidate, JOAQUIN VAZQUEZ, is in default, that the Objections are sustained, and that the Candidate's Nomination Papers are invalid.

14. The Electoral Board further finds that similar result has been reached in related case number 15-EB-ALD-090.

IT IS THEREFORE ORDERED that the Objections of DAVID ROSAPEDRO ROSA JR. to the Nomination Papers of JOAQUIN VAZQUEZ, candidate for election to the office of Alderman of the 36th Ward of the City of Chicago, are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of JOAQUIN VAZQUEZ, candidate for election to the office of Alderman of the 36th Ward of the City of Chicago, SHALL NOT be printed on the official ballot for the Municipal General Election to be held on February 24, 2015.

Dated: Chicago, Illinois, on December 23, 2014.

Langdon D. Neal, Chairman

Richard A. Cowen, Commissioner

Marisel A. Hernandez, Commissioner

NOTICE: Pursuant to Section 10-10.1 of the Election Code (10 ILCS 5/10-10.1) a party aggrieved of this decision and seeking judicial review of this decision must file a petition for judicial review with the Clerk of the Circuit Court of Cook County within 5 days after service of the decision of the Electoral Board.